

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:21-cv-00270-MR-WCM**

RUPA VICKERS RUSSE )  
Plaintiff, )  
v. )  
CINDIE HARMAN )  
Defendant. )

## ORDER

This matter is before the Court on Plaintiff's Motion to Extend Time to File Certificate of I.A.C. (the "Motion," Doc. 24).

On October 5, 2021, Plaintiff filed her complaint in this matter. Doc. 3.

On February 24, 2022, Plaintiff's counsel filed an affidavit regarding service. Doc. 19. The following day, Plaintiff requested that default be entered against Defendant. Doc 20.

On February 26, 2022, defense counsel filed a notice of appearance and an answer. Docs 21, 22.

On February 28, 2022, the presiding District Judge denied Plaintiff's request for the entry of default. On March 4, 2022, Plaintiff moved for the reconsideration of that ruling. Doc. 23.

On March 3, 2022, the parties were advised that they were required to conduct an Initial Attorney's Conference.

The instant Motion indicates that counsel conducted a conference on March 14, 2022. According to the Motion, Plaintiff's counsel prepared a draft certification and report – a copy of which is attached to the Motion – following the conference, though defense counsel has not responded to that draft.

On March 22, 2022, the presiding District Judge denied Plaintiff's motion for reconsideration of the previous order denying Plaintiff's request that default be entered. Doc. 25.

Under these circumstances, the undersigned sees no reason to delay moving forward with the development of a case management plan. The Local Rules require that the parties file a Certificate of Initial Attorney's Conference within seven days of the conference itself; such certificates serve as guidelines for the Court when it issues scheduling orders. LCvR 16.1(b). Here, while a joint report has not been filed, Plaintiff's counsel has submitted the draft report, which the undersigned will consider. Further, the undersigned will conduct an initial pretrial conference with counsel during which each side will be given an opportunity to provide further information for the Court as it formulates a discovery plan and case management schedule.

**IT IS THEREFORE ORDERED THAT** Plaintiff's Motion to Extend Time to File Certificate of I.A.C. (Doc. 24) is **DENIED**. The Clerk is respectfully directed to schedule an in-person initial pretrial conference with counsel.

Signed: March 24, 2022



W. Carleton Metcalf  
United States Magistrate Judge

